

### **REMARKS**

Applicants wish to thank the examiner for her diligent efforts in the examination to date. An RCE was filed in this application on August 26, 2004. Claims 1-2,4-7,31-34 and 41-44 are presently pending. Claims 41-43 have been withdrawn. Claims 1, 6, and 31 are amended herein. Applicants respectfully assert that no new matter has been introduced by the amendments made herein.

#### **Claim 7 is Supported by the Application as Originally Filed.**

Claim 7 stands rejected under 35 U.S.C. § 112, first paragraph as allegedly containing new matter. Applicants traverse the rejection and respectfully request reconsideration. The claim is supported by Example 5 (see e.g. Table 5 providing the average of 5 experiments), in combination with the language at page 4 lines 8-10 as originally filed. The amount of “about 30 µg/ml glycosylated lysozyme” is clearly supported by the original disclosure and does not encompass new matter.

#### **The Claims are Fully Enabled**

Claims 4-7, 31-34, and 44 stand rejected under 35 U.S.C. § 112, first paragraph as allegedly not enabled by the specification. The rejection states that the claims are enabled for 3% malic acid alone, 1mM 3,4-dihydroxybenzaldehyde alone, or 30µg/ml glycosylated lysozyme elicitor protein alone. The Office Action states that the specification does not reasonably provide enablement “for making *Vanilla planifolia* cells that produce the claimed amounts of vanillin in a culture medium with any unspecified amounts of malic acid, or for methods wherein the malic acid is added to the culture medium at a concentration of between 1-3% by weight after subjecting the culture to mechanical stress.” Applicants respectfully traverse the rejection with respect to claims 4-7.

Claim 4, and claims 5-7 dependent thereon are directed to a method for producing vanillin in cultured cells comprising a) providing a tissue culture; b) subjecting the culture to mechanical stress for 21 days; and c) adding malic acid at a specified concentration. The method does not claim or require any particular level of vanillin production as the Office Action suggests is the basis for alleging a lack of enablement. Applicants respectfully